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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,375	02/13/2004	Hye Sook Hwang	2080-3229	9026
35884 7590 06/08/2009 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
FEATHERSTONE, MARK D				
ART UNIT		PAPER NUMBER		
2423				
NOTIFICATION DATE		DELIVERY MODE		
06/08/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/779,375

Applicant(s)

HWANG, HYE SOOK

Examiner

MARK D. FEATHERSTONE

Art Unit

2423

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 5, 6 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 6 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Amendment

Response to amendment filed 02/25/2009. Claims 1, 5-6, and 8 have been amended. Claims 1, 5-6, and 8 are pending.

Response to Arguments

Applicant's arguments with respect to claims 1, 5-6, and 8 have been considered but are moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1, 5-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gutta et al, US PG Pub # 20040003393, hereinafter Gutta, in view of Bates et al, US Patent # 6745367, hereinafter Bates, further in view of Russ et al, US PG Pub # 20040068739, hereinafter Russ, in further view of Chang et al, US PG Pub # 20020174424, hereinafter Chang, in further view of Seidman et al, US Patent # 6298482, hereinafter Seidman.

With regard to claim 1, Gutta discloses

A method for providing a history of viewed broadcasting programs, the method comprising:

selecting a broadcast signal (Figure 2, step 240 and paragraph [0031], the system determines which channel is being watched and records information for that selected channel);

extracting program data related to the history of the viewed broadcasting programs from the selected broadcasting signal (Figure 2, item 250 and paragraph [0031]; record information about the selected channel being watched in a specific file);

displaying the program data related to the history of the viewed broadcasting programs in a list form, wherein titles and viewing times of each of the broadcasting programs viewed are stored in a memory (paragraph [0031]; a usage history for each user can be built and displayed to an authorized user, such as which channels were watched and for how long); and performing an authentication process to display the program data (Figure 5, step 510 an authorized user is required to enter a PIN to see the user histories).

Gutta fails to disclose enabling a user to set a predetermined time period for storing the history of the viewed broadcasting programs, and storing the data at the predetermined time period set by the user. Bates discloses a system in which a parent can monitor the view history of a child while internet browsing. Specifically, as described in Figure 3, steps 324 and 326 and column 6, lines 14-22, the parent can set either an interval timer that captures a viewing record at predetermined intervals (for example every 10 seconds) or a view stay timer that records a viewing record if the user has viewed a content over a threshold

amount of time. The parent can view the stored records as described in column 6, lines 4-10. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of Bates that allows a parent to set a time period for storing a viewing record with the system as taught by Gutta that allows a parent to view the history of programs watched by a child in order to allow a parent to continuously monitor viewing behavior either every pre-determined interval of time, or when a child has watched a content over a threshold time, indicating interest in the content.

Gutta in view of Bates fails to disclose creating an electronic program guide (EPG) picture using the extracted program data. Russ discloses a system in which a parent can monitor a child's activities from another room. As described in paragraph [0045]; the system can store both on-time information and past information for each remote device connected to the system. For example, as illustrated in Figure 8, the device will tell a parent that the remote device is tuned to the program "Jag" being watched in another room. This is presented in an EPG format as shown in Fig. 8. These EPG listings can be created for past history as well, as indicated in paragraph [0045]. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Russ to present viewing history in an EPG format to present the information in a familiar and user-friendly way.

Gutta in view of Bates in further view of Russ fails to disclose storing in memory a title and viewing time corresponding to each of the broadcasting

programs viewed and displaying the program data comprising the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time. Chang describes a system which tracks the history of programs watched by a user (abstract). Specifically, Chang describes storing a history of programs viewed and the viewing time for those programs (figure 4-5 and paragraph [0041-0042]; the programs that were viewed are highlighted in the program guide along with the person who viewed them (e.g. Mark Smith) and the viewing time (e.g. 9:00 - Free Willy was watched). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Chang to list in the created program guide of Gutta in view of Bates in further view of Russ the names of the programs watched and the viewing time of those programs in order for a parent to monitor television programs watched by children (Chang, paragraph [0046]).

Gutta in view of Bates in further view of Russ in further view of Chang fails to disclose transmitting the program data related to the history of the viewed broadcasting programs to broadcasting stations. Seidman discloses a system in which viewer history records (fig. 4 and column 7, lines 39-55; viewer records include program name, viewing time, etc.) are uploaded to the head-end (corresponding to the broadcasting station which provides the programs in order to build a user profile (column 7, line 63 - column 8, line 12). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teaching of Seidman of uploading program data

information to the broadcasting station to the system of Gutta in view of Bates in further view of Russ in further view of Chang in order to target programming to the user based on the information (Seidman, column 3, lines 56-65).

Claims 5 & 8 are the apparatus claims corresponding to claim 1, and are analyzed and rejected accordingly.

With regard to claim 6, Gutta fails to disclose means for inputting user's search and history set request. Bates further discloses the system comprising means for inputting user's history search and history set request (Figure 1, item 112 pointer device and keyboard used in the system of setting a history time range). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to add the teaching of Bates to the system to enable the user to make input selections such as setting the time interval to record history records.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory

period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK D. FEATHERSTONE whose telephone number is (571)270-3750. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F US Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

E-Signed

/Mark Featherstone/ - Assistant Examiner

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2423